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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,301	12/29/2000	Andrew Rouse	23452-128	6723
29315	7590	11/10/2004		
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 12010 SUNSET HILLS ROAD SUITE 900 RESTON, VA 20190				
			EXAMINER COULTER, KENNETH R	
			ART UNIT 2141	PAPER NUMBER

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/750,301	Applicant(s) ROUSE ET AL.	
	Examiner Kenneth R Coulter	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-71 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21 – 71 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Smith (U.S. Pat. No. 6,529,903) (Methods and Apparatus for Using a Modified Index to Provide Search Results in Response to an Ambiguous Search Query).

2.1 Regarding claim 21, Smith discloses a method of enabling a wireless client device to access one or more search applications residing on at least one remote server, the method comprising:

enabling the wireless client device to select a search option from the one or more search applications for searching messages located on the at least one remote server (Fig. 1; col. 1, lines 20 - 35);

processing the search criteria on the at least one remote server to determine if one or more of the messages match the search criteria (Abstract; Figs. 1, 5A); and

transmitting, to the wireless client device, results of the processing of the search criteria (Abstract; Figs. 1, 5A).

However, Smith does not explicitly disclose enabling the wireless client device to specify search criteria, wherein the search criteria include instructions to search one or more selected fields of the messages.

Smith does teach "a conventional search engine, such as search engine 125" (col. 4, lines 41 – 42).

A conventional search engine would include the well-known Dejanews search engine. As seen in Zoken (U.S. Pat. No. 5,944,787), the Dejanews search engine allows "searching postings to public forums including by name, organization and email address." (col. 1, line 67 – col. 2, line 1).

2.2 Per claim 22, Smith teaches:

enabling the at least one remote server to receive an access request for the one or more messages that match the search criteria (Abstract; Figs. 1, 5A);

enabling the wireless client device to access the one or more messages (Abstract; Figs. 1, 5A).

However, Smith does not explicitly disclose:

formatting the one or more messages based on a profile of the wireless client device.

However, the formatting of data sent to a wireless device based on the profile of the user of that wireless device is a commonplace scenario in wireless network art in order

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to modify data to the preferences of a device user; and does not represent a patentably distinct feature over the prior art.

2.3 Regarding claims 23 and 24, Smith does not explicitly disclose that the messages comprise at least one of emails and calendar entries or that the one or more selected fields include at least one of a sender field, a date field, and a subject field. However, as seen in the Zoken reference, Dejanews discloses fields including "name, organization and email address." (col. 1, line 67 – col. 2, line 1).

2.4 Regarding claim 25, Smith does not explicitly disclose that the at least one remote server is a limited access server that allows a predefined class of users to access the messages and denies access to users not included in the predefined class. However, different levels of access are commonplace in search engine devices, including users who may pay for complete access and user who receive partial access for free.

2.5 Per claims 26 – 35, Smith does not explicitly teach that the messages are calendar entries that the wireless user can create and delete; that the messages are directory messages; editing the messages that match the search criteria; a search form used in association with the search; or saving search criteria for use at a later time. However, these particulars are commonplace in various well known search engines; and therefore do not represent a patentably distinct feature over the prior art of record.

2.6 Regarding claims 36 – 71, the rejection of claims 21 – 35 under 35 USC 102(e) (paragraphs 2.1 – 2.5 above) applies fully.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

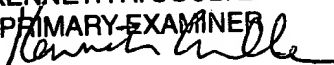
4. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 571.272-3879. The examiner can normally be reached on 5 4 9.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER
PRIMARY EXAMINER


krc